

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(oracle01.028)

5    **Applicant:**            Ying Hu et al.                    **Confirmation No.:** 9081  
      **Application No:**    10/810,756                    **Group Art Unit:** 2166  
      **Filed:**                3/26/04                            **Examiner:** Ahluwalia, Navneet K.  
10   **Title:** *A database management system with persistent, user-accessible bit map values*

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15   Commissioner for Patents  
      Alexandria, VA 22313-1450

**Response to a non-final Office action under 37 C.F.R. 1.111**

**Status of the prosecution**

20    *A Pre-appeal brief request for review* was filed together with a *Notice of appeal* in the above application on 4 March 2004. A *Notice of panel decision from pre-appeal brief review* indicating that prosecution was to be reopened issued on 2 April 2008, and a non-final Office action in the reopened prosecution issued on 2 July 2008. In the Office action, Examiner rejected claim 36 and claims 37-43 dependent from that claim under 35 U.S.C. 112, second  
25   paragraph as vague and indefinite, rejected independent claims 1, 22, and 44 and the claims dependent from these claims under 35 U.S.C. 101 as directed to nonstatutory subject matter, and rejected all pending claims under 35 U.S.C. 102(e) as anticipated by U.S. Patent 6,633,883, Koskas, *Methods of organizing data a processing queries in a database system, and database system and software product for implementing such methods*, issued Oct. 14, 2003 (henceforth  
30   "Koskas"). Applicants are amending claim 36 to overcome the rejection under 35 U.S.C. 112, second paragraph, are amending claim 1 to overcome the rejection under 35 U.S.C. 101, and are traversing the remaining rejections under 35 U.S.C. 101 and all of the rejections under 35 U.S.C. 102.

35   **Please amend the claims as follows:**